



TUESDAY, MAY 9, 1882.

Amusements To-Day.

The letters from Mr. Justice WISEMAN, which were read before the Judiciary Committee of the Assembly on Saturday, appear to have been written on the assumption that a court of chancery which has taken possession of the property of a corporation, through duly appointed receivers, may properly consult such receivers or their counsel in regard to litigation affecting the corporation.

This theory of judicial action is defended on the ground that the receivers are simply officers of the court.

The Republican Highwaymen.

One hundred and fifty millions of dollars more than are necessary to pay the expenses of the Government are to be taken from the tax-payers this year. Part of this sum will be used to decrease the national debt, and part will be devoted to the most reckless, extravagant, and unwaranted appropriations.

The Republican majority that now controls the national legislation will not listen to the idea of adjusting the revenues with any reference to the needs of the Government. They have jobs on foot, and they want the money to carry them through; and by peculiar fortune, at the time when the country pours out an unprecedented revenue, the leader of the controlling party rises to the top in the gross figure of the most shameless of all plunderers, Simon Rosencrantz. Not one dollar of the unnecessary surplus will be remitted so long as such men as he are permitted by a debauched and corrupted party to be its spokesmen and managers in Congress.

For the disgrace of upholding such men, and for the refusal to consider the readjustment of the revenue by deliberately burying the question in the blotted and uncontrolled procrastination of a commission, the Republican party is responsible.

What Will Mr. Gladstone Do?

The motion to adjourn the House of Commons until Thursday was justified, not only by the desire of members to attest their keen sorrow for the blow which had fallen on a family associated for two centuries with all that is most liberal and progressive in the politics of the United Kingdom, but also by the absence of any precise knowledge touching the motives or the authors of the Dublin butchery.

Had the perpetrators of the crime been discovered, and found to be connected with any large organization looked upon as representative of the Irish people, it might have been argued with much force that some positive action on the part of Parliament ought to precede adjournment, and that the best way of exhibiting a sympathy for the friends of the victims of Saturday's tragedy would be to take such measures as would secure either from similar bereavements. But, although the number of Lord Portarlington Cavanagh and of Mr. Butler is still involved in mystery, the opinion is gaining ground that the Home League is in no way responsible for the atrocity, but that its authors were Fenians, determined to inflame anew the animosities of centuries and avert the era of tranquillity and contentment that seemed about to dawn for Ireland, and that that would be fatal to the cheating and plotting by which they swerved from Irish-American citizens a part of their hard-earned gains.

Although no distinct announcement of intended action was made by the leaders of political parties last night in either House of Parliament, yet such indications as were left fall point, we regret to say, toward a presumption of a repressive policy on the part of the Government. Mr. GLADSTONE said that "all previous arrangements must be rescinded." This cannot refer to the substitution of one Secretary for another, for the Premier is not accustomed to any palpable results. If the words mean anything, they seem to indicate a reconsideration of the purpose to release the suspects, and a resumption of the trial of the men who had been known long ago. The same is true of Lieut. CHAMBERS. Engineer MELVILLE continues his search for them, but of their safety there was never the remotest hope; for even if their trial, which was the smallest and least-swearingly of the three did not go down in the gale which separated them all, she was without share of the provisions.

Mr. LEWIS should keep an eye on the Sambre under which the Common Council of Paris last night authorized the Comptroller to issue \$10,000 in bonds to employ clerks to ledgerize the arrears of taxes. Under a recent resolution of the party he had but a hundred miles to go in order to be at a village or hamlet, and in all the intervening space there were chances of finding natives, as MELVILLE'S party, and about the same time, found them. They were all alive except ENTHORN, who died from a surgical amputation on the 9th of October, the day when NONES and NEDERMAN left them. Thus they had had twenty-three days in which to make their journey, less than a hundred miles; and yet they failed and perished.

Lieut. DANBROOK suggests that DE LONG must have had an incorrect map and been induced by following it to wander away from the direction which he should have taken. The degree of trial in this suggestion will be better known when it is learned where the dead bodies were found by MELVILLE and what their journeys had been. But meanwhile, in DE LONG's own records, which were recovered by MELVILLE some time ago, there are interesting suggestions. Lieut. De Long's first memorandum is that, after making his map he expended some time in endeavoring to get ashore under favorable circumstances. His language is as follows:

"After trying for two days to get ashore, succeeded in reaching one of the river banks, having no boat and waded one mile and half miles carrying provisions and went upstream. We met two natives who were walking to a settlement on the coast of Lake Superior. They were natives of the lake and spoke English. They told us that our party had been captured by Indians and were being held prisoner. They said that we could get ashore at any time, but that we must be careful, as the Indians were very bad."

With fourteen starved men, all well, and supplied with food, medicines, and tents, DE LONG's confidence in being able to go a distance of ninety-five miles, at that season, the middle of September, was certainly not excessive. What was it that he failed?

On the 22d of September he leaves another record, saying that three of his men had been

coerced than has been assumed, seemingly by all parties, in the metropolis. And it may be that in the interval some light will have been thrown on the motives and authors of the Dublin murders, and that the grave injustice of adopting the very policy which it seems probable the assassins hoped to force upon the Government will be recognized by Mr. GLADSTONE and by the greater part of the Liberal party.

The Westbrook Letters.

The letters from Mr. Justice WISEMAN, which were read before the Judiciary Committee of the Assembly on Saturday, appear to have been written on the assumption that a court of chancery which has taken possession of the property of a corporation, through duly appointed receivers, may properly consult such receivers or their counsel in regard to litigation affecting the corporation.

This theory of judicial action is defended on the ground that the receivers are simply officers of the court.

Now, while it is perfectly true that the receivers are simply officers of the court, it does not by any means follow that they are entitled to the advice of the Court in everything they do.

Messrs. DILLON and HOPKINS, as receivers of the Manhattan Railway Company, were custodians of the property of that corporation. In any act they contemplated concerning the care of the property they might appropriately seek the direction of the Court, either personally or through their counsel; and we do not know that they were bound to do this publicly, although an open application for judicial advice even in such a case is vastly preferable to the most guarded private communication.

But every receiver of a corporation is something more than a mere caretaker of its property. He is the representative of its creditors. In this capacity he may be called upon to institute or defend suits, and to take an active part in great litigations. In such cases he comes before the courts with no higher or better standing than any other litigant. He is entitled to no privilege which other suitors do not enjoy. He cannot properly seek advice from a Judge; and if he does, it should be refused.

This distinction between the functions of a receiver concerning which the Court may properly give him directions and the functions in respect to which the Court is bound to treat him like any other party to a suit, seems to have been lost sight of in the elevated railroad cases.

It ought to be carefully observed in every sense where a receiver is appointed.

There are some other features of the correspondence between Judge WISEMAN and Mr. WAGER SWAYNE which require notice.

In October last, in commenting upon a report published in the *Evening Post* concerning the manner in which the decision in the elevated railroad cases was delivered, we pronounced the transaction scandalous. If the facts were so represented, it would be difficult to sustain the charge.

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